

Lincoln, Nebraska
May 19, 2006

COMMUNITY CORRECTIONS COUNCIL
MEETING MINUTES

The Community Corrections Council (Council) met Friday, May 19, 2006, 9:00 a.m., at the Cornhusker Hotel, Lincoln, Nebraska. The meeting was open to the public and was preceded by advance publicized notice in the Lincoln Journal Star.

Members present:

Scot L. Adams
Mike Behm
William Burgess
Ellen Fabian-Brokofsky
The Honorable Karen B. Flowers
Robert Houston
The Honorable John P. Icenogle
Joe Kelly
Jim McKenzie
Nancy Montanez
Senator John Syowiecki
Janice Walker
Senator Kermit A. Brashear, Chair

Members absent:

Esther Casmer
Catherine Cook
Aileen Gruendel
Julie Hippen
Robert Lindemeier

Others present:

Bruce Ayers
Robert Bell
Scott Carlson
Michael Dunkle
Trent Fellers
Michael Harrigan
Doug Johnson
Howard Kensinger
John Krejci
Ed Lankas
Mike Overton
Jim Pieper
Steve Rowoldt
Christine Salvatore
Duane Sanders
Ron Sorensen
Larry Wayne
David Wegner

Council Staff Present:

Linda Krutz, Executive Director
Julie L. Rogers
Jennifer Doné

CALL TO ORDER, WELCOME & OVERVIEW

Chairperson Brashear called the Council meeting to order at 9:00 a.m. and gave an overview of the meeting. Attendance is indicated above. Expected absences were announced. In the future, Council staff will formally survey Council members well before each meeting to ascertain their anticipated presence. If a significant number of voting members cannot attend, the meeting will be cancelled.

APPROVAL OF MINUTES

The minutes of the February 17, 2006, meeting stood approved as presented.

COMMUNITY CORRECTIONS FEE REPORT

Bruce Ayers of the Crime Commission presented the Community Corrections Fees Report and the "Community Corrections Funding for 05/06 and 06/07" which reviewed what money has been added by the 2006 legislation and what the earmarked funds will be used for. Bruce will continue to improve and provide the "Community Corrections Funding for 05/06 and 06/07" in addition to the Community Corrections Fees Report.

TARGET POPULATION REPORT

Mike Dunkle, Researcher and Business Systems Analyst to the Community Corrections Council, was introduced as a new staff person. Mike Overton of the Crime Commission presented the Target Population Report. Overton pointed out that for 2006 year to date compared to 2005, there is a decrease in the number of felony drug offenders being sentenced to Probation, while Parole admissions have increased and Department of Correctional Services (DCS) admissions are approximately the same.

Overton has worked with Probation and DCS to clarify the definition of a "Felony Drug Offender" (FDO). They will continue to work on a standard definition.

TIMELINE

The 2006 Timeline was reviewed and approved as presented.

JUSTICE SUBSTANCE ABUSE TEAM (JSAT)

Steve Rowoldt, Co-Chair of JSAT, gave an overview of the April JSAT meeting and the membership list. Currently, JSAT has no consumer, defense bar, or county attorney representation. Efforts will be made to include representatives from these groups.

Rowoldt proposed a name change from JSAT to Justice Behavioral Health Committee (JBHC). This name would encompass substance abuse and behavioral health. A draft of written guidelines will be presented at the next JBHC meeting, including membership, subcommittees, open meetings, mission, vision, charge statement, and processes. Also, Raleigh Haas will give a presentation about the Work Ethic Camp at the next JBHC meeting.

COMMUNITY CORRECTIONS PROGRAMS REPORT

Steve Rowoldt and Christine Salvatore gave the Community Corrections Programs Report. The Community Corrections Programs Committee has fourteen members within Probation including chief probation officers for the Specialized Substance Abuse Supervision Program (SSAS) and staff from Intensive Supervision Probation (ISP). SSAS is utilizing best practices until meeting policies and procedures are formally approved. There are currently thirteen offenders participating in SSAS. Dave Wegner is working on the integration of SSAS into the MIS system. Twelve of the thirteen SSAS officers attended American Society of Addiction Medicine (ASAM) training. Probation plans to have four SSAS officers trained as trainers in order to perpetuate training of new hires. Mike Brown, from the board of parole in Indiana, will meet with all SSAS sites in mid-June to evaluate and make recommendations. The fall probation and parole conference will be held late October. The three day conference will focus on evidence based practices.

At this time, there are three hundred registered providers for the Fee for Service Voucher Treatment Program. To date, Probation costs for the Voucher program are \$63,292. Parole costs for the Voucher program are \$570. Probation is training parole on when to refer an appropriate offender. Voucher program costs were reviewed by district. District 6 (Lincoln) has the highest expenditures thus far due to three residential treatment vouchers. Data is continuously being collected and reviewed to ensure accessibility.

STANDARDS FOR DAY AND EVENING REPORTING CENTERS

Ellen Brokofsky presented on Day and Evening Reporting Centers (DRC). DRC is available to all probationers even though it is case managed by, and comes under the direction of, SSAS. Start up cost of supplies for each DRC will not exceed \$90,500. Each DRC should have \$100,000 for individual contracts. On June 8, 2006, there will be a meeting at the Work Ethic Camp about the Thinking for a Change groups which will be offered at DRC. Because of the officer to offender ratio, the Thinking for a Change Groups will be closed groups. Probation will continue to update the Council on the five centers that are being set up as well as when and how a determination will be made on the development of additional sites. There was discussion about what expenses the county and state each should be responsible for.

Scot Adams motioned to approve the guidelines for the creation of Day and Evening Reporting Centers to be utilized in subsequent site selection and specific expenditure approval, which includes expending funds from the Probation Program Cash Fund up to \$90,500 for equipment and up to \$100,000 for service contracts per each currently established location. Mike Behm seconded the motion and the motion passed.

OFFENDER SELECTION WORKSHEET VALIDATION

Dave Wegner gave a PowerPoint about the Offender Selection Worksheet (OSW). Five of Probation's instruments have been normalized and are validated every two years by Behavioral Data Systems. The OSW has not yet been normalized or validated, but this will be completed in February of 2007. Dave Wegner and Mike Overton are working to compare the OSW data with the sentencing guidelines grid. There was discussion on how to better utilize the Work Ethic Camp for felony drug offenders, using the OSW as a targeting tool.

SENTENCING GUIDELINES DATA REPORT

The Sentencing Guidelines Data Report was given by Mike Overton. If the guidelines were utilized in every case in 2003, out of a total of 913 offenders, 32 would have been sentenced to the Department of Corrections (a decrease of 405), 195 would have been sentenced to ISP/WEA (an increase of 15), and 686 would have been sentenced to Probation (an increase of 390). Chairman Brashear will present this information to the District Court Judges and the Governor.

JUSTICE AND MENTAL HEALTH COLLABORATION PROGRAM BJA GRANT OPPORTUNITY

The U.S. Department of Justice's Office of Justice Program's Bureau of Justice Assistance is accepting applications for funding under the Justice and Mental Health Collaboration Program. Eligible grant applicants must be seeking to plan, implement, and/or expand an adult or juvenile collaboration program between a governmental agency and a mental health provider. There are three award categories. Category one is Planning for \$50,000. Category two is Planning and Implementation for \$250,000. Category three is Planning and Expansion for \$200,000. Lancaster County and Probation are two of the entities known to be applying for this grant.

2006 LEGISLATION

Senator Brashear gave an overview of 2006 legislation sponsored by the Council.

- LB1257 was amended into LB1113. Reentry courts were stricken. Two at large members will be added to the Council subject to appointment by the Governor. The Council has statutory authorization to create a grant program to entities including local governmental agencies, nonprofit organizations, and behavioral health services which will support the intent of the Community Corrections Act, but no funding was received for such program.
- LB274 CA was adopted, and will be on the voting ballot in November for approval by the people. This amendment creates an exception to the separation of powers clause that would allow executive and judicial branches to work jointly with regard to Probation and Parole as the legislature provides.
- LB273 CA did not advance from committee. This amendment would have created an exception to the separation of powers clause to allow boards and commissions to have voting members from any branch of government.
- LB1258 was amended into the mainline appropriations bill for a total of \$4,375,000 of new general fund appropriations. After the Governor's veto, the new general funds are \$1,080,000 for treatment funding, \$2,000,000 for Specialized Court, \$1,250,000 for DRC, and \$45,000 for the Recidivism Reduction Study.

STANDARDS FOR SPECIALIZED COURTS

Scott Carlson presented a preliminary draft of the Statewide Implementation and Sustainability of Problem-Solving Courts. Out of the \$2,000,000 appropriation for specialized courts, the plan is that most will be used for salaries. Currently, specialized courts are in eight out of twelve judicial districts and another district's specialized court is in the planning stages. There are three districts where specialized courts are not yet started. The Supreme Court is

establishing a case management system for specialized courts. Scott Carlson and Janice Walker will present a plan, standards, and budget at the next Council meeting for approval.

EXPANSION OF FEE FOR SERVICE VOUCHER TREATMENT PROGRAM

Probation is taking suggestions of how to expand the population eligible for the Fee for Service Voucher Treatment Program. Probation is collecting data to help decide where to expand. Currently, only offenders convicted of a felony drug offense are eligible.

RECIDIVISM REDUCTION CENTER STUDY SCOPE

T. Hank Robinson from the University of Nebraska at Omaha and Julie Rogers have drafted a Scope of Implementation Plan for the Recidivism Reduction Center. The parameters of the plan were established by the legislative language in LB1060.

UNO METHAMPHETAMINE TREATMENT STUDY REPORT

The final report of the UNO Methamphetamine Treatment Study was distributed and is available on the Community Corrections Council's website.

CONCLUDING REMARKS & ADJOURNMENT

There being no further business, the meeting was adjourned.

The next scheduled meeting of the Council is Friday, June 23, 2006, 9:00 a.m., in Lincoln, Nebraska.

Respectfully submitted,

Jennifer K. Doné